

## CIVIL DOCKET

## UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
<p>CONAM INSPECTION, INC., SUBSIDIARY OF AUTOMATION INDUSTRIES, INC.</p> <p>V.</p> <p>INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL NO. 2 (AFL-CIO), and HERMAN B. JONES, JAMES ACOSTA, HAROLD LAY, JIM LAY, JACK ALEXANDER, DAVID EVANS, DON VAUGHN, DUKE DUCOTY, and JOHN DOE,</p>		<p>For plaintiff:</p> <p>E. John Eagleton Kothe &amp; Eagleton 204 Philtower Building Tulsa, Oklahoma 74103 (584-5182)</p> <p>For defendant:</p> <p>Harold Gruenberg Suite 905, Chemical Bldg. 721 Olive Street St Louis, Mo. 63101 (314) 231-7440</p> <p>William K. Powers 1501 Fourth National Bldg. Tulsa, Okla. 74119</p> <p><del>Gene L. Mortensen</del> <del>300 McFarlin Building</del> <del>Tulsa, Oklahoma 74103</del></p>					
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.		
J.S. 5 mailed 12-1-72	Clerk	11/30	J.Eagleton	15.00			
		12-7-72	C.D.No.25		15	00	
J.S. 6 mailed 5-1-73	Marshal						
Basis of Action: Sec. 301, Labor Management Relations Act of 1947	Docket fee						
	Witness fees						
Action arose at:	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-30-72	Complaint, filed. Summons issued. rm	
11-30-72	Appl. for TRO and Preliminary Injunction (as part of complaint), filed. rm	
11-30-72	Pltf.'s brief in support of its motion for injunctive relief, filed. rm	
11-30-72	Motion of pltf. for preliminary injunction, filed. rm	
11-30-72	Temporary Restraining Order, filed. Ordered that def. is restrained until 12/10/72 from causing work stoppages, etc., upon posting of \$1,000 security. (FD-J) rm	
12-1-72	Undertaking for temporary restraining order, filed. Approved by Judge Daugherty 12/1/72. Pltf. posted \$1,000 cash bond in compliance with order of 11/30/72. (two certified copies of Undertaking to Marshal) rm	
12-7-72	Pltf's Mot to ext. time for temp. restraining order, filed. r	
12-7-72	Order granting additional time of temp restraining order, until 12-20-72, and if not settled on 12-20-72, the court orders a hearing on the merits of the preliminary injunction at 10:00 a.m. on 12-20-72. Filed. (FD-J)r (Copy to pltf) <i>to defts attys</i>	
12-13-72	Answer to Complaint on Behalf of International Union of Operating Engineers, Local 2, Defendant, filed. v	
12-13-72	Appl. of counsel for leave of court to appear and to represent defendants in the above cause, filed. v -order to Judge.	
12-13-72	Motion to Dismiss of the following deft.s: Herman B. Jones, James Acosta, Harold Lay, Jim Lay, Jack Alexander, David Evans, Don Vaughn and Duke Ducoty, filed. v <i>attys</i>	
12-13-72	Memorandum in support of motion to dismiss, filed. v <i>attys</i>	
12-18-72	Leave of Court filed, for atty Harold Gruenberg to appear as counsel, filed. (FD-J)r (Copies mailed)	
12-18-72	Copy of letter from J.D. to Pltf dated 12-15-72, stating it is desired that Pltf respond to deft's Motion to dismiss within 10 days (1-15-73) with supporting brief. Filed. r	
12-18-72	Entry of Appearance of Local Counsel on behalf of the Deft.s pursuant to Rule 4(g) of the Rules of the U.S. District Court for the Northern District of Okla., namely William K. Powers, filed. v	
12-20-72	Letter from deft (Mr. Gruenberg) dated 12-19-72, stating he has no obj. to continuance of the TRO, filed. r	
12-20-72	M.O.: Ordered by the Court, the T.R.O. entered on 11-30-72 and extended until 12-20-72 is continued, in force and in effect, by agreement of both parties until such time as either Pltf or Defts' request and obtain a setting from the Court for hearing on the appl. of Pltf for a preliminary injunction. With the further understanding that the TRO shall remain in force, and in effect until such time that the Court enters an Order on Pltf's Appl. for Preliminary injunction. (FD-J)r (Letter written to all attys)	

(Contd)

## DAUGHERTY

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-29-73	Marshal's return of service of summons, complaint and TRO filed. Served Herman B. Jones, Sec. of Intl. Union of Operating Engs., in St. Louis on 12/5/72; served Intl. Union of Op. Eng. in St. Louis by serving Herman Jones on 12/5/72; served James Acosta in Henryetta on 12/1/72; served Harold Lay in Henryetta on 12/1/72; served Jim Lay in Henryetta on 12/1/72; unable to serve Jack Alexander in Tulsa on 6/1/72; served David Evans in Henryetta on 12/1/72; unable to serve Don Vaughn on 12/4/72; served Duke Ducoty in Tulsa by serving Irby Ducote on 12/1/72. (USM \$78.40) rm	
12-27-72	Letter from Pltf. req. add. time to respond to Motion to Dismiss of defts., filed. r	
12-30-72	Ordered by the Court that Pltf is granted until 1-2-73 in which to respond to Motion to Dismiss of defts. (FD-J)r (attys notified by letter)	
1-3-73	Pltf's Response in opposition to defts' motion to dismiss w/leave to file out of time, filed. r mailed	
1-3-73	Mem. brief in sup. of response w/leave to file out of time, filed. r mailed	
4-23-73	Stipulation for dismissal by all parties, filed. rm	
4-30-73	Order filed and entered, that cause be dismissed w/o prejudice, at the pltf's costs. (FD-J)r (Copies mailed)	
10-25-74	Order, filed, directing Clerk to refund to pltf. its cash bond in the sum of \$1,000.00. (FD-J)hm (copy mailed Kothe and Nichols, Inc.)	

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